IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 5701 of 2004

Between:

Smt.V.Usha Rani W/o.Siva Prasad
R/o.Street No.2, House No.13, Sarada Nagar, Baghamberpet, Hyderabad.

..... PETITIONER

AND

1 The Government of A.P., rep.by its Secretary, Department of Home, Secretariat Building, Hyderabad.
2 Station House Officer, Amberpet Police Station Malakpet Division, East Zone, Hyderabad City Police,
Hyderabad.
3 The Station House Officer, Central Crim Station, Hyderabad.
4 The Sub-Inspector of Police, Team III, Central Crime Station Hyderabad.
5 Mr.Y.T.R.Prasad, CI Team III, Central Crime Station, Hyderabad
6 Mr.Ramana Goud, SI Team-III Central Crime Station, Hyderabad

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to call for the records and issue a writ or order or direction more particularly one in the nature of writ of mandamus and declare the action of the respondents 3 to 6 in demanding the petitioner to produce her husband before them and further by taking the letter dt.20-3-2004 and further threatening to harass the petitioner by sending constables to the residence and working place of the petitioner is illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India apart from being violation of the principles of Natural justice and consequently direct the 5th respondent to return the letter dt.20-3-2004 to the petitioner.

Counsel for the Petitioner: MR.T.LAKSHMI NARAYANA

Counsel for the Respondent No.: GP FOR HOME

The Court made the following :

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ORDER:-

Heard both the learned counsel and at their request the writ petition itself is taken up for disposal at the stage of admission.

Petitioner herein who is a lady complains by way of this writ petition to declare that the action of the respondents herein in demanding to produce her husband before them and to harass her by sending constables to her residence and working place as illegal and arbitrary.

The case of the petitioner is that she is an employee in Postal Department and blessed with children. Further, since some cases were pending against her husband, the respondents obtained a letter from her that she shall produce her husband failing which, they threatened, that she has to face dire consequences.

In the counter-affidavit, it is stated that there are several cases registered against the husband of the petitioner and in that connection for the purpose of investigation, the petitioner is being enquired.

Having heard the learned counsel on either side and on perusal of the material on record, it is seen that admittedly, there is no allegation against the petitioner nor any connection to her in any of the offences as sought to be alleged against her husband, against whom some cases are registered and investigation is pending. It is open to the respondent to take all such steps under law for the apprehension of the husband of the petitioner rather than enquiring in any manner the petitioner, who is employee and has to support her family.

Accordingly, the writ petition is allowed. No costs.

22—07—2004.

Stv/-

To

1 The Government of A.P., rep.by its Secretary, Department of Home, Secretariat Building,Hyderabad.
2 Station House Officer, Amberpet Police Station Malakpet Division, East Zone, Hyderabad City Police, Hyderabad.
3 The Station House Officer, Central Crime Station, Hyderabad.
4 The Sub-Inspector of Police, Team III, Central Crime Station Hyderabad.
5. Two CCs to GP for Home, High Court Buildings, Hyderabad (OUT)

6. Two CD copies